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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/618,218 | 07/14/2003 | Zyh-Ming Huang | SP3021-P-842-AAE | 4416 |

7590 10/24/2006

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| EXAMINER |
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GELAGAY, SHEWAYE

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| ART UNIT | PAPER NUMBER |
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2137

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/618,218 | HUANG, ZYH-MING | |
| | Examiner | Art Unit | |
| | Shewaye Gelagay | 2137 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-5 have been examined.

Specification

2. The disclosure is objected to because of the following informalities: The word "SACII" on page 3, line 9 should be changed to "ASCII", the word "secretary" on page 4, line 5 should be changed to "security".

Appropriate correction is required.

Claim Objections

3. Claim 1 is objected to because of the following informalities: It is unclear which part of the claim is the preamble. Appropriate action is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 recites, "the receiver is compatibly with the USB slot of a computer and is interacted with a computer", which is grammatically incoherent.

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Furthermore, it is unclear if the receiver or the USB slot is compatibly interacting with a computer. Appropriate action is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al. (hereinafter Davis) U.S. Patent Number 6,088,450.

As per claim 1:

Davis teaches a wireless identification lock comprising a transmitter, (figure 1, item 120; col. 2, lines 38-57) a receiver (figure 1, item 110; figure 2, item 210; col. 2, lines 38-57) and a security software, the transmitter and receiver being communicated wirelessly; (col. 3, line 64-col. 4, line 5) the security software being associated with the operations of the transmitter and receiver. (col. 2, lines 38-57; col. 4, lines 12-19)

As per claim 2:

Davis teaches all the subject matter as discussed above. In addition, Davis further discloses a wireless identification lock wherein the transmitter is formed by an IC circuit board, and transmits signals wirelessly, a casing enclose the IC circuit board for being carried easily. (figure 4; col. 5, lines 56-59)

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (hereinafter Davis) U.S. Patent Number 6,088,450 in view of Rallis et al. (hereinafter Rallis) U.S. Patent Number 6,189,099.

As per claim 3:

Davis teaches all the subject matter as discussed above. In addition, Davis further discloses a wireless identification lock wherein the receiver is formed by an IC circuit board, and receives signals wirelessly, a casing enclosing the IC circuit board for being carried easily; (figure 3; col. 5, lines 44-49) Davis does not explicitly disclose the receiver is compatibly with the USB slot of a computer and is interacted with a computer. Rallis in analogous art, however, discloses the receiver is compatibly with the USB slot of a computer and is interacted with a computer. (figure 1A, item 14; col. 4, lines 41-45) Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to modify the system disclosed by Davis with Rallis for faster communication between the receiver and the computer.

As per claims 4 and 5:

Davis teaches all the subject matter as discussed above. Davis does not explicitly disclose a wireless identification lock wherein the security software provides a

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secret code input frame and related driving program for interacting with the receiver and transmitter. Rallis in analogous art, however, discloses wherein the security software provides a secret code input frame and related driving program for interacting with the receiver and transmitter. (col. 5, lines 9-67) Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to modify the system disclosed by Davis with Rallis in order to provide an application that will give an option to the user either automatic hard disk lock-up or computer power-down after expiration of a user-defined inactivity period. (col. 5, lines 18-22; Rallis)

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See Form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shewaye Gelagay whose telephone number is 571-272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shewaye Gelagay


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER